
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

CONRAD FRANKLIN WHITE,

Plaintiff(s),

v.

PEAK ALARM AND JERRY HOWE,

Defendant(s).

**ORDER ADOPTING REPORT &
RECOMMENDATION**

Case No. 2:06CV43DAK

This case is assigned to United States District Court Judge Dale A. Kimball, who then referred it to United States Magistrate Judge David Nuffer under 28 U.S.C. § 636(b)(1)(B). On April 11, 2006, Magistrate Judge Nuffer issued a Report and Recommendation, recommending that Defendant Jerry Howe's Motion to Dismiss be granted.

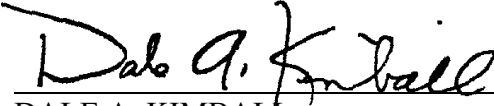
The Report and Recommendation also notified Plaintiff that he had ten days after receipt of the Report and Recommendation to file any objections to it. No objection has been filed as of the date of this Order.

The court has reviewed the materials relating to the motion to dismiss *de novo*. The court agrees with the reasoning of the Magistrate Judge's Report and Recommendation in its entirety. Plaintiff's discrimination claims can only be asserted against the employer. Therefore, the court affirms and adopts the Magistrate Judge's Report and Recommendation as the order of this court.

Accordingly, Defendant Jerry Howe's Motion to Dismiss is GRANTED and the claims asserted against Defendant Jerry Howe are DISMISSED.

DATED this 4th day of May, 2006.

BY THE COURT:



DALE A. KIMBALL
United States District Judge